– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 December 1999</u> .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>21 December 1999</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☒ Certified copies of the priority documents have been received in Application No. <u>09/468,143</u> .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3,4,5,7</u> .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/468,143	12/21/1999	YUJI NOMURA	FUSA-16.844	3277

26304   7590   04/10/2003

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER
FOX, JAMAL A

ART UNIT	PAPER NUMBER
2664	8

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hidehiro et al. Referring to claim 1, Hidehiro et al. discloses a network-device control

system for performing priority control of a network device constituting a network based

upon priority of a user, said system comprising (page 5-6 paragraph [0003]): an event

notification device (page 8 lines 6-15) for detecting that a user has logged in to a

communication terminal or that a user has launched a predetermined application from a

communication terminal, and reporting an identifier (provided by the RSVP Protocol) of

the user and the fact that an event has occurred (page 6 paragraph [0004]). Hidehiro et

al. does not teach of a network-device controller for performing priority control of a

network device based upon information reported by said event notification device;

wherein said network-device controller acquires priority of the user indicated by the user

identifier reported by said event notification device, obtains a network device on a

communication path between said communication terminal and an apparatus that is the

destination of communication, generates information necessary to perform priority

control in accordance with the user priority, and sets this priority control information in

each network device. It would have been obvious to one having ordinary skill in the art

at the time the invention was made to have included a network-device controller for

performing priority control of a network device based upon information reported by said

event notification device; wherein said network-device controller acquires priority of the

user indicated by the user identifier reported by said event notification device, obtains a

network device on a communication path between said communication terminal and an

apparatus that is the destination of communication, generates information necessary to

perform priority control in accordance with the user priority, and sets this priority control

information in each network device because the RSVP daemon communicates with two

local decision modules, *admission control* and *policy control*. Admission control

determines whether the node has sufficient available resources to supply the requested

QoS. Policy control determines whether the user has administrative permission to

make the reservation.

Referring to claim 2, Hidehiro et al. discloses the system according to claim 1,

however, he does not teach of further comprising a database unit for storing, in

association with a user identifier, user information that includes the address of the

apparatus that is the destination of communication and the user priority; wherein said

event notification device acquires the priority of the user and the address of the

apparatus that is the destination of communication from said database unit and reports

these to said network-device controller. It would have been obvious to one having

ordinary skill in the art at the time the invention was made to have included a database

unit for storing, in association with a user identifier, user information that includes the

address of the apparatus that is the destination of communication and the user priority;

wherein said event notification device acquires the priority of the user and the address

of the apparatus that is the destination of communication from said database unit and

reports these to said network-device controller because a main memory 21, network

controllers 23, connection management tables and permissions lists (see paragraph

[0016]) are provided for storing user information and priority.

Referring to claim 3, Hidehiro et al. discloses the system according to claim 2,

however, he does not teach when a user has logged in by inputting the user identifier,

the communication terminal sends this user identifier and the address of the

communication terminal to said database unit; said database unit stores the address of

the communication terminal in association with the user identifier; and said event

notification device detects log-in by a change in user information in said database unit,

acquires the priority of the user, the address of the apparatus that is the destination of

communication and the address of the communication terminal from said database unit,

and reports these to said network-device controller. It would have been obvious to one

having ordinary skill in the art at the time the invention was made to include when a user

has logged in by inputting the user identifier, the communication terminal sends this

user identifier and the address of the communication terminal to said database unit; said

database unit stores the address of the communication terminal in association with the

user identifier; and said event notification device detects log-in by a change in user

information in said database unit, acquires the priority of the user, the address of the

apparatus that is the destination of communication and the address of the

communication terminal from said database unit, and reports these to said

network-device controller because transmitter and destination information is provided in

(fig. 3 [paragraph 0018]). This information is stored in the memory of each device,

therefore creating a database.

Referring to claim 4, Hidehiro et al. discloses the system according to claim 2,

however, he does not teach of when a user has launched a predetermined application,

the communication terminal sends the user identifier, the address of the communication

terminal and an application identifier of the application to said database unit; said

database unit stores the address of the communication terminal, the application

identifier and the address of an apparatus that is the destination of communication of

the application in association with the user identifier; and said event notification device

detects an application-launch event by a change in application information in said

database unit, acquires the priority of the user, the address of the apparatus that is the

destination of communication and the address of the communication terminal from said

database unit, and reports these to said network-device controller. It would have been

obvious to one having ordinary skill in the art at the time the invention was made to

include when a user has launched a predetermined application, the communication

terminal sends the user identifier, the address of the communication terminal and an

application identifier of the application to said database unit; said database unit stores

the address of the communication terminal, the application identifier and the address of

an apparatus that is the destination of communication of the application in association

with the user identifier; and said event notification device detects an application-launch

event by a change in application information in said database unit, acquires the priority

of the user, the address of the apparatus that is the destination of communication and

the address of the communication terminal from said database unit, and reports these to

said network-device controller because the communication terminal, user identifier, and

communication data generated by terminal applications are provided in (fig. 3

[paragraph 0018]). This information is transmitted to and stored in the memory of each

device.

Referring to claim 5, Hidehiro et al. discloses the system according to claim 1,

wherein said event notification device includes: an event detector for detecting that a

user has logged in to a communication terminal or that a user has launched an

application [0018] from a communication terminal; however, he does not teach of an

event notifier for notifying said network-device controller of the fact that the event

occurred and of the user identifier; and said network-device controller includes: an

event receiver for receiving notification from said event notifier; a priority acquisition unit

for acquiring the priority of the user indicated by the received user identifier; a device

selector for selecting a network device which is subjected to priority control based upon

the priority of the user; a device-specific information acquisition unit for acquiring state

of configuration of the selected network device and a method of configuring the device;

a configuration information generator for generating priority-control configuration

information for performing priority control of each network device based upon the

acquired device-specific information and user priority; and configuration information

transmitter for transmitting the priority-control configuration information, which has been

generated by said configuration information generator, to the selected network device to

thereby set this information in this network device. It would have been obvious to one

having ordinary skill in the art at the time the invention was made to have included

however he does not teach of an event notifier for notifying said network-device

controller of the fact that the event occurred and of the user identifier; and said

network-device controller includes: an event receiver for receiving notification from said

event notifier; a priority acquisition unit for acquiring the priority of the user indicated by

the received user identifier; a device selector for selecting a network device which is

subjected to priority control based upon the priority of the user; a device-specific

information acquisition unit for acquiring state of configuration of the selected network

device and a method of configuring the device; a configuration information generator for

generating priority-control configuration information for performing priority control of

each network device based upon the acquired device-specific information and user

priority; and configuration information transmitter for transmitting the priority-control

configuration information, which has been generated by said configuration information

generator, to the selected network device to thereby set this information in this network

device because it is so described that the connection management [0008] could keep

track of events, device specific information, and priority control [0018].

Referring to claim 6, Hidehiro et al. discloses the system according to claim 2,

but does not teach of a directory server being provided, said directory server being

provided with said event notification device and said database unit. It would have been

obvious to one having ordinary skill in the art at the time the invention was made to

have included a directory server being provided, said directory server being provided

with said event notification device and said database unit because the registered

contents of a management table which is registered by a network manager is provided

to provide directory and event notification to the terminals.

Referring to claim 7, Hidehiro et al. discloses a network-device control apparatus

[0009], however, Hidehiro et al. does not teach of performing priority control of a

network device constituting a network based upon priority of an user, said apparatus

comprising: an event receiver for receiving an identifier of a user from an event notifier

when the user has logged into a communication terminal or when the user has launched

an application; means for acquiring priority of the user, which is indicated by the

reported user identifier, and the address of an apparatus that is the destination of

communication by said communication terminal; a device selector for selecting network

devices on a path along which the communication terminal and the apparatus that is the

destination of communication communicate; a generating unit for generating information

necessary to perform priority control in accordance with the user priority; and means for

configuring the network device with the information that has been generated by said

generating unit. It would have been obvious to one having ordinary skill in the art at the

time the invention was made to have included performing priority control of a network

device constituting a network based upon priority of an user, said apparatus comprising:

an event receiver for receiving an identifier of a user from an event notifier when the

user has logged into a communication terminal or when the user has launched an

application; means for acquiring priority of the user, which is indicated by the reported

user identifier, and the address of an apparatus that is the destination of communication

by said communication terminal; a device selector for selecting network devices on a

path along which the communication terminal and the apparatus that is the destination

of communication communicate; a generating unit for generating information necessary

to perform priority control in accordance with the user priority; and means for configuring

the network device with the information that has been generated by said generating unit

because user information, source and destination addresses, as well as event

notification is described in [0018].

Referring to claim 8, Hidehiro et al. discloses a network-device control system

[0009], however, Hidehiro et al. does not teach of performing priority control of a

network device constituting a network based upon priority of an application, said system

comprising: an event notification device for detecting that a user has launched a

predetermined application from a communication terminal, and reporting an identifier of

the application and the fact that an application-launch event has occurred; and a

network-device controller for performing priority control of a network device based upon

information reported by said event notification device; wherein said network-device

controller acquires priority of the application indicated by the application identifier

reported by said event notification device, obtains network devices on a communication

path between said communication terminal and an apparatus that is the destination of

communication, generates information necessary to control the network devices in

accordance with the application priority, and configures each network device with this

priority control information. It would have been obvious to one having ordinary skill in

the art at the time the invention was made to have included performing priority control of

a network device constituting a network based upon priority of an application, said

system comprising: an event notification device for detecting that a user has launched

a predetermined application from a communication terminal, and reporting an identifier

of the application and the fact that an application-launch event has occurred; and a

network-device controller for performing priority control of a network device based upon

information reported by said event notification device; wherein said network-device

controller acquires priority of the application indicated by the application identifier

reported by said event notification device, obtains network devices on a communication

path between said communication terminal and an apparatus that is the destination of

communication, generates information necessary to control the network devices in

accordance with the application priority, and configures each network device with this

priority control information because user information, source and destination addresses,

as well as event notification is described in [0018] and management information that is

registered in all network devices is described in [0004].

Referring to claim 9, Hidehiro et al. discloses the system according to claim 8,

but does not teach of comprising a database unit for storing user information in

association with a user identifier, and application information, which includes the

application priority, in association with an application identifier; wherein said event

notification device acquires the priority of the application from said database unit and

reports this application priority to said network-device controller. It would have been

obvious to one having ordinary skill in the art at the time the invention was made to

have included comprising a database unit for storing user information in association with

a user identifier, and application information, which includes the application priority, in

association with an application identifier; wherein said event notification device acquires

the priority of the application from said database unit and reports this application priority

to said network-device controller because a main memory 21, network controllers 23,

connection management tables and permissions lists (see paragraph [0016]) are

provided for storing user information and priority.

Referring to claim 10, Hidehiro et al. discloses the system according to claim 9,

however, Hidehiro et al. does not teach when the user has launched a predetermined

application, the communication terminal sends the application identifier and the address

of the apparatus that is the destination of communication to said database unit and said

database unit stores the application identifier and the address of the apparatus, which is

the destination of communication, in association with the user identifier; and said event

notification device detects occurrence of an application-launch event by a change in the

application information in the user information in said database unit, acquires the priority

of the application, the address of the apparatus that is the destination of communication

and the address of the communication terminal from said database unit, and reports

these to said network-device controller. It would have been obvious to one having

ordinary skill in the art at the time the invention was made to have included when the

user has launched a predetermined application, the communication terminal sends the

application identifier and the address of the apparatus that is the destination of

communication to said database unit and said database unit stores the application

identifier and the address of the apparatus, which is the destination of communication,

in association with the user identifier; and said event notification device detects

occurrence of an application-launch event by a change in the application information in

the user information in said database unit, acquires the priority of the application, the

address of the apparatus that is the destination of communication and the address of

the communication terminal from said database unit, and reports these to said

network-device controller because the communication terminal, user identifier, and

communication data generated by terminal applications are provided in (fig. 3

[paragraph 0018]). This information is transmitted to and stored in the memory of each

device.

Referring to claim 11, Hidehiro et al. discloses the system according to claim 8,

wherein said event notification device includes: an event detector for detecting that a

communication terminal has given rise to an application launch event [0018]; however,

Hidehiro et al. does not teach of an event notifier for notifying said network-device

controller of the fact that the event occurred and of the application identifier; and said

network-device controller includes: an event receiver for receiving notification from said

event notifier; a priority acquisition unit for acquiring the priority of the application

indicated by the received application identifier; a device selector for selecting a network

device which is subjected to priority control based upon the priority of the application; a

device-specific information acquisition unit for acquiring state of configuration of the

selected network device and a method of configuring the device; a configuration

information generator for generating priority-control configuration information for

performing priority control of each network device based upon the acquired

device-specific information and application priority; and configuration information

transmitter for transmitting the priority-control configuration information, which has been

generated by said configuration information generator, to the selected network device to

thereby set this information in this network device. It would have been obvious to one

having ordinary skill in the art at the time the invention was made to have included an

event notifier for notifying said network-device controller of the fact that the event

occurred and of the application identifier; and said network-device controller includes:

an event receiver for receiving notification from said event notifier; a priority acquisition

unit for acquiring the priority of the application indicated by the received application

identifier; a device selector for selecting a network device which is subjected to priority

control based upon the priority of the application; a device-specific information

acquisition unit for acquiring state of configuration of the selected network device and a

method of configuring the device; a configuration information generator for generating

priority-control configuration information for performing priority control of each network

device based upon the acquired device-specific information and application priority; and

configuration information transmitter for transmitting the priority-control configuration

information, which has been generated by said configuration information generator, to

the selected network device to thereby set this information in this network device

because it is so described that the connection management [0008] could keep track of

events, device specific information, and priority control [0018].

Referring to claim 12, Hidehiro et al. discloses the system according to claim 9,

however, Hidehiro et al. does not teach of a directory server being provided, and the

directory server being provided with an event notification device and database unit. It

would have been obvious to one having ordinary skill in the art at the time the invention

was made to have included a directory server being provided, and the directory server

being provided with an event notification device and database unit because the

registered contents of a management table which is registered by a network manager is

provided to provide directory and event notification to the terminals.

Referring to claim 13, Hidehiro et al. discloses a network-device control

apparatus [0009], however, Hidehiro et al. does not teach of performing priority control

of a network device constituting a network based upon priority of an application, said

apparatus comprising: an event receiver for receiving an identifier of an application

from an event notification device when a user has launched an application at a

communication terminal; means for acquiring priority of the application, which is

indicated by the notified application identifier, and the address of an apparatus that is

the destination of communication by said communication terminal based upon the

application; a device selector for selecting network devices on a path along which the

communication terminal and the apparatus that is the destination of communication

communicate; a generating unit for generating information necessary to perform priority

control in accordance with the application priority; and means for configuring the

network device with the information that has been generated by said generating unit. It

would have been obvious to one having ordinary skill in the art at the time the invention

was made to have included performing priority control of a network device constituting a

network based upon priority of an application, said apparatus comprising: an event

receiver for receiving an identifier of an application from an event notification device

when a user has launched an application at a communication terminal; means for

acquiring priority of the application, which is indicated by the notified application

identifier, and the address of an apparatus that is the destination of communication by

said communication terminal based upon the application; a device selector for selecting

network devices on a path along which the communication terminal and the apparatus

that is the destination of communication communicate; a generating unit for generating

information necessary to perform priority control in accordance with the application

priority; and means for configuring the network device with the information that has

been generated by said generating unit because user information, source and

destination addresses, as well as event notification is described in [0018].

Referring to claim 14, Hidehiro et al. discloses a network-device control system

[0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth,

discard rate and delay of a network device constituting a network, said system

comprising: an event notification device for detecting that a user has logged in to a

communication terminal or that a user has launched a predetermined application from a

communication terminal, and reporting an identifier of the user and the fact that an

event has occurred; and a network-device controller for controlling any one of

bandwidth, discard rate and delay of a network device based upon information reported

by said event notification device; said network-device controller: acquiring any one of a

bandwidth value, discard rate value and delay value conforming to a user identified by

the user identifier reported by said event notification device; obtaining network devices

on a communication path between said communication terminal and an apparatus that

is the destination of communication; generating configuration information necessary to

control any one of bandwidth, discard rate and delay in accordance with the value

acquired; and configuring each network device with this generated configuration

information. It would have been obvious to one having ordinary skill in the art at the

time the invention was made to have included controlling any one of bandwidth, discard

rate and delay of a network device constituting a network, said system comprising: an

event notification device for detecting that a user has logged in to a communication

terminal or that a user has launched a predetermined application from a communication

terminal, and reporting an identifier of the user and the fact that an event has occurred;

and a network-device controller for controlling any one of bandwidth, discard rate and

delay of a network device based upon information reported by said event notification

device; said network-device controller: acquiring any one of a bandwidth value, discard

rate value and delay value conforming to a user identified by the user identifier reported

by said event notification device; obtaining network devices on a communication path

between said communication terminal and an apparatus that is the destination of

communication; generating configuration information necessary to control any one of

bandwidth, discard rate and delay in accordance with the value acquired; and

configuring each network device with this generated configuration information because

a discard process is described in [0028], [0033], [0034], and [0035]. This along with the

fact that event notification based on terminal applications being described in [0018] and all users can individually specify communication bandwidth and other parameters for their own connections [0006] make it obvious.

Referring to claim 15, Hidehiro et al. discloses a network-device control apparatus [0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said apparatus comprising: an event receiver for receiving at least an identifier of a user from an event notification device when the user has logged in to a communication terminal or when the user has a launched an application; means for acquiring any one of a bandwidth value, discard-rate value and delay value conforming to a user identified by the notified user identifier, and the address of an apparatus that is the destination of communication by said communication terminal; a device selector for selecting a network device on a path along which the communication terminal and the apparatus that is the destination of communication communicate; a generating unit for generating configuration information necessary to control any one of bandwidth, discard rate and delay in accordance with said value acquired; and means for configuring the network device with the configuration information that has been generated by said generating unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have included controlling any one of bandwidth, discard rate and delay of a network device constituting a network, said apparatus comprising: an event receiver for receiving at least an identifier of a user from an event notification device when the user has logged in to a communication terminal or when the user has a

launched an application; means for acquiring any one of a bandwidth value, discard-rate

value and delay value conforming to a user identified by the notified user identifier, and

the address of an apparatus that is the destination of communication by said

communication terminal; a device selector for selecting a network device on a path

along which the communication terminal and the apparatus that is the destination of

communication communicate; a generating unit for generating configuration information

necessary to control any one of bandwidth, discard rate and delay in accordance with

said value acquired; and means for configuring the network device with the

configuration information that has been generated by said generating unit because a

discard process is described in [0028], [0033], [0034], and [0035]. This along with the

fact that event notification based on terminal applications being described in [0018] and

all users can individually specify communication bandwidth and other parameters for

their own connections [0006] make it obvious.

Referring to claim 16, Hidehiro et al. discloses a network-device control system

[0009], however, Hidehiro et al. does not teach of controlling any one of bandwidth,

discard rate and delay of a network device constituting a network, said system

comprising: an event notification device for detecting that a user has launched a

predetermined application at a communication terminal, and reporting an identifier of the

application and the fact that an application-launch event has occurred; and a

network-device controller for controlling any one of bandwidth, discard rate and delay of

a network device based upon information reported by said event notification device;

said network-device controller: acquiring any one of a bandwidth value, discard rate

value and delay value of an application identified by the application identifier reported by

said event notification device; obtaining network devices on a communication path

between said communication terminal and an apparatus that is the destination of

communication; generating configuration information necessary to control any one of

bandwidth, discard rate and delay in accordance with the value acquired; and

configuring each network device with this generated configuration information. It would

have been obvious to one having ordinary skill in the art at the time the invention was

made to have included controlling any one of bandwidth, discard rate and delay of a

network device constituting a network, said system comprising: an event notification

device for detecting that a user has launched a predetermined application at a

communication terminal, and reporting an identifier of the application and the fact that

an application-launch event has occurred; and a network-device controller for controlling

any one of bandwidth, discard rate and delay of a network device based upon

information reported by said event notification device; said network-device controller:

acquiring any one of a bandwidth value, discard rate value and delay value of an

application identified by the application identifier reported by said event notification

device; obtaining network devices on a communication path between said

communication terminal and an apparatus that is the destination of communication;

generating configuration information necessary to control any one of bandwidth, discard

rate and delay in accordance with the value acquired; and configuring each network

device with this generated configuration information because a discard process is

described in [0028], [0033], [0034], and [0035]. This along with the fact that event

notification based on terminal applications being described in [0018] and all users can

individually specify communication bandwidth and other parameters for their own

connections [0006] make it obvious.

Referring to claim 17, Hidehiro et al. discloses a network-device control

apparatus [0009], however, Hidehiro et al. does not teach of controlling any one of

bandwidth, discard rate and delay of a network device constituting a network, said

apparatus comprising: an event receiver for receiving an identifier of an application

from an event identification device when a user has a launched an application at a

communication terminal; means for acquiring any one of a bandwidth value,

discard-rate value and delay value conforming to an application identified by the

reported application identifier, and the address of an apparatus that is the destination of

communication by said communication terminal based upon the application; a device

selector for selecting a network device on a path along which the communication

terminal and the apparatus that is the destination of communication communicate; a

generating unit for generating configuration information necessary to control any one of

bandwidth, discard rate and delay in accordance with the value acquired; and means for

configuring the network device with the configuration information that has been

generated by said generating unit. It would have been obvious to one having ordinary

skill in the art at the time the invention was made to have included controlling any one of

bandwidth, discard rate and delay of a network device constituting a network, said

apparatus comprising: an event receiver for receiving an identifier of an application

from an event identification device when a user has a launched an application at a

communication terminal; means for acquiring any one of a bandwidth value,

discard-rate value and delay value conforming to an application identified by the

reported application identifier, and the address of an apparatus that is the destination of

communication by said communication terminal based upon the application; a device

selector for selecting a network device on a path along which the communication

terminal and the apparatus that is the destination of communication communicate; a

generating unit for generating configuration information necessary to control any one of

bandwidth, discard rate and delay in accordance with the value acquired; and means for

configuring the network device with the configuration information that has been

generated by said generating unit because a discard process is described in [0028],

[0033], [0034], and [0035]. This along with the fact that event notification based on

terminal applications being described in [0018] and all users can individually specify

communication bandwidth and other parameters for their own connections [0006] make

it obvious.

Conclusion

3. **Any response to this action should be mailed to:**

>   Commissioner of Patents and Trademarks
>   Washington, D.C. 20231

   or faxed to:

>   (703) 305-3988, (for formal communications intended for entry)

   Or:

>   (703) 305-3988 (for informal or draft communications, please label
>   "PROPOSED" or "DRAFT")

>   Hand-delivered responses should be brought to Crystal Park II, 2121
>   Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jamal A. Fox whose telephone number is (703) 305-

5741. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone

numbers for the organization where this application or proceeding is assigned are (703)

872-9314 for regular communications and (703) 872-9315 for After Final

communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 306-

0377.

Art Unit: 2664

J.A.F.

Jamal A. Fox

KWANG BIN YAO
PRIMARY EXAMINER